

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**THE MARTIN LAW GROUP, LLC**

**and**

**Case 10-CA-078395**

**SHERI T. ROUSE**

**ORDER<sup>1</sup>**

The Respondent's Motion to Dismiss is denied. The Respondent has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law.<sup>2</sup>

Dated, Washington, D.C., August 15, 2012.

MARK GASTON PEARCE,	CHAIRMAN
BRIAN E. HAYES,	MEMBER
SHARON BLOCK,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> The Board finds it unnecessary to pass on the Respondent's motion to convert its motion for default judgment to a motion for summary judgment because in either case, the motion would be denied. See NLRB Rules and Regulations, Sec. 102.24(b) ("The Board in its discretion may deny the motion [for summary judgment or dismissal] where the motion itself fails to establish the absence of a genuine issue, or where the opposing party's pleadings, opposition and/or response indicate on their face that a genuine issue may exist.")